

REMARKS

This amendment responds to the office action mailed August 12, 2005. In the office action, the Examiner has rejected claims 1-40 under 35 USC 103(a) as being unpatentable over Langsenkamp (US 5,912,947) in view of Zirngibl et al. (US 6,798,867).

After entry of this amendment, the pending claims are: claims 1-12, 14-20, 22-25, 27-33, 35-38 and 40-42.

CLAIM AMENDMENTS

Applicants have respectively amended claims 1, 12, 14, 15, 18-20, 22-25, 28, 31-33, 35-38 and 40. Applicants have canceled claims 13, 21, 26, 34 and 39. Applicants have added new claims 41 and 42. No new matter has been added by these amendments.

CLAIM REJECTIONS – 35 U.S.C. 103(a)

Claims 1-6 and 41-42

Claim 1, as amended, recites a method of delivering voice organizer messages. The method comprises the following steps:

“recording a voice organizer message from a first user;
storing the voice organizer message to be delivered to a second user on a specified date;
upon said specified date, delivering the voice organizer message to the second user;
if said delivery is incomplete, wherein the voice organizer message is not fully played to the second user, placing the voice organizer message in a voice mailbox associated with the second user;
and
periodically redelivering the voice organizer message at a frequency specified by the first user, wherein the frequency is selected from a group consisting of at least three frequencies.” (Emphasis added)

Support for the step of placing the voice organizer message in a voice mailbox in case of an incomplete delivery is on page 6, lines 10-25 and FIG. 6 (see, in particular, box 616 of FIG. 6). One exemplary embodiment of claim 1 described in the present application is that, when a message being played is interrupted by the destination user, the message is put into the voice mailbox associated with the user. The user can subsequently access the mailbox to replay the message.

Neither Langsenkamp nor Zirngibl addresses any issue associated with an incomplete delivery of a voice organizer message. Neither reference teaches or suggests the step of

placing a message in a voice mailbox if it is **not fully played** to its recipient. The paragraph (col. 21, lines 28-41 of Zirngibl) cited by the Examiner only suggests that a voice mail may be left for a callee after a predetermined number of **unsuccessful call attempts**. But according to Zirngibl, an unsuccessful call attempt is not an interrupted delivery of a voice message. It is actually a call not answered by the callee at all. Therefore, claims 1-6 are patentable over Langsenkamp in view of Zirngibl.

New claims 41 and 42 correspond to claim 1 as amended. They are therefore patentable over Langsenkamp in view of Zirngibl for at least the same reasons described above.

Claims 7-11

In the Office Action, the Examiner contended that Langsenkamp teaches the step of associating a message-specific passcode with the voice organizer message. Applicants respectfully disagree.

Langsenkamp teaches that a callee can set up a password protection for future calls directed to the callee so that “the callee is certain that a particular individuals [*sic*] or set of individuals receive messages from the system” (col. 18, lines 40-43). In other words, it is the callee who selects a password and then gives the password to individuals the callee allows to hear the messages left for the callee. This password is clearly **not message-specific, but callee-specific**. It is chosen by the callee, not by the message sender. Only the callee can modify the password. The message sender cannot modify the password at call. Therefore, a callee’s password in Langsenkamp is essentially the same as a PIN associated with a user taught in Zirngibl.

In contrast, the message-specific passcode of the present invention is associated with a particular voice organizer message. For example, FIG. 5 of the present invention depicts that a user (the message sender) can modify the passcode associated with a message (box 508). If there is no passcode associated with the message, the user (the message sender) may create one for it. See, e.g., page 5, lines 20-23. This message-specific passcode is not the same as the callee’s password in Langsenkamp.

Therefore, claims 7-11 are patentable over Langsenkamp in view of Zirngibl.

Claims 12 and 14

Claim 12 has been amended by including claim 13, i.e., the step of associating a message-specific passcode with the voice organizer message. Accordingly, claim 13 has been canceled and claim 14 has been amended to be dependent from claim 12. Claims 12 and 14 are patentable over Langsenkamp in view of Zirngibl for at least the same reasons as described above.

Claims 15-20 and 22-24

Claim 15 has been amended by including claim 21, i.e., the instructions for associating a message-specific passcode with the voice organizer message. Claim 21 has been canceled accordingly. Claims 18-20 and 22-24 have been amended to correct the chain of claim dependencies, and to provide proper antecedent basis for the terms used in these claims. Therefore, claims 15-20 and 22-24 are patentable over Langsenkamp in view of Zirngibl for at least the same reasons as described above.

Claims 25, 27-33, 35-38 and 40

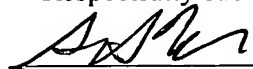
Similarly, independent claims 25, 28 and 38 have been amended by including dependent claims 26, 34 and 39, respectively. Therefore, claims 25, 27-33, 35-38 and 40 are patentable over Langsenkamp in view of Zirngibl for at least the same reasons as described above.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at 650-843-7501, if a telephone call could help resolve any remaining items.

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Respectfully submitted,



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